

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventors : McDermott, Brian J.; McGowen, Daniel; Spotts, Ralph Leo Jr.; Tryzbiak, Sid

Serial No. : 10/790,363

Filed : March 1, 2004

For : ELECTRICAL DEVICE WITH TEETH JOINING LAYERS AND METHOD FOR MAKING THE SAME

Group Art Unit : 2841

Examiner : Dinh, Tuan T

MS: No Fee Amendment
Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL RESPONSE

S I R :

In further response to the Office Action mailed June 12, 2007, in the above-referenced patent application, please reconsider the application in view of the remarks set forth below.

As stated in Applicant's filing of February 6, 2007:

Claims 92 and 93 have been rejected pursuant to 35 U.S.C. Sec. 112. The Examiner contends that claim 92 is unclear for requiring obtuse and greater than 60 degrees. In response, the claim is correct as written, and the Examiner appears to have confused surface gloss measurement with cavities that are obtuse. See the Declaration of Professor C. P. Wong.

Claims 93, 97, 103, 115, 116, 122, and 138-151 have been amended, and the rejection of each of these claims is believed to be moot.

Claims 97-110, 112-119, and 122-179 have been rejected pursuant to 35 U.S.C. Sec. 102(b). The Examiner contends that these claims are anticipated by Nakamura. In Applicant's filing of February 6, 2007, the contentions and rejections were respectfully traversed for the reasons stated in said filing.

More particularly, with regard to claims 102-107, 115-116, 122-124 and 138-143, Nakamura does not disclose or teach the claimed teeth per linear inch. (See also claims 12-17 and 48-53.) More precisely, see Declaration of Professor Wong, Para. 10. Accordingly, a prima facie case of statutory anticipation has not been made out based on Nakamura.

More particularly, with regard to claims 108-109, though referenced in the list of claims made subject to the Sec. 102 rejection, these claims are not discussed in the particulars of the Sec. 102 rejection. Applicant assumes that these claims are listed here by accident as they are discussed with respect to Sec. 103. Please see the discussion below.

More particularly, with regard to claims 98, 104, 110, 112-114, 129-133, and those claims that depend therefrom, Nakamura makes no disclosure of surface gloss measurement. More precisely, see Declaration of Professor Wong, Para. 4. Accordingly, a prima facie case of statutory anticipation has not been made out based on Nakamura. (See also withdrawn claims 2-3, 8, 14, 20-24, and 39-43.)

More particularly, with regard to claims 99-100, 105-106, 112-113, and 117. Nakamura does not disclose or teach the claimed removal does not include physical roughening. More precisely, see Declaration of Professor Wong, Para. 6. Accordingly, a prima facie case of statutory anticipation has not been made out based on Nakamura. See (See also claims 4-6, 9-11, 15-16, 22-24, 27.)

More particularly, with regard to claims 101, 107, 114, 118, 124, 127-128, 131-133, and 136-137, Nakamura does not disclose or teach the claimed destroy the integrity. More precisely, see the Declaration of Professor Wong, Para. 9. Accordingly, a prima facie case of statutory anticipation has not been made out based on Nakamura. (See also claims 6, 11, 17, 24, 28, 34, 37, 41-43, and 46.)

More particularly, with regard to claims 119, 125-126, 134-137, and 180, Nakamura does

not teach or disclose the means for that is claimed. More precisely, see the Declaration of Professor Wong, Para. 7. Accordingly, a prima facie case of statutory anticipation has not been made out based on Nakamura. (See also claims 29-31, 35-36, and 44-47.)

More particularly, with regard to claims 144-179, these claims depend from independent claims that have not been shown as anticipated for the reasons given above. Further, and more precisely, attention is drawn to the Declaration of Professor Wong. Accordingly, a prima facie case of statutory anticipation has not been made out based on Nakamura.

Further, claims 91-96, 108-109, 111, 120-121, 138-179 have been rejected pursuant to 35 U.S.C Sec. 103. The Examiner contends that these claims are obvious over Nakamura in view of Katagiri. In Applicant's filing of February 6, 2007, the contentions and rejections were respectfully traversed for the reasons stated in said filing.

More particularly, with regard to claims 91-96, 108-109, 111-112, 120-121, and 145, a case of prima facie obviousness has not been made out at least because a proper reason to combine has not been provided. As per the Declaration of Professor Wong "Sandblasting and heat and press are alternatives that are not known to be combinable in the manner set out in the office action - nowhere is it shown that one can modify the structure produced by sandblasting so as to produce the structure produced from a heat and press process." More precisely, see the Declaration of Professor Wong, Para. 5. Accordingly, a prima facie case of statutory anticipation has not been made out based on the cited art. (See also claims 1-6, 18-19, 21, 31, and 55.)

More particularly, surface gloss measurement (claim 92), removal does not include physical roughening (claims 94-95), destroy the integrity (claim 96), and means for (claims 134-137, 180), have not been shown, as discussed above. More precisely, see the Declaration of Professor Wong. Accordingly, a prima facie case of statutory anticipation has not been made out based on the cited art. (See also claims 1-6, 18-19, 21, 31, and 55.)

More particularly, with regard to claims 102-107, 115-116, 122-124 and 138-143, Nakamura does not disclose or teach the claimed teeth per linear inch. More precisely, see the Declaration of Professor Wong. Accordingly, a prima facie case of statutory anticipation has not been made out based on the cited art. (See also claims 12-17 and 48-53.)

More particularly, with regard to claims 138-143, these claims depend from independent claims that have not been shown as obvious for the reasons given above. More precisely, see the Declaration of Professor Wong. Accordingly, a prima facie case of statutory anticipation has not been made out based on the cited art.

Applicant appreciates the complexity of this application and the number of claims herein, and Applicant is willing to work with the Examiner to reach allowance. Applicant has traveled to Washington D.C. to work with the Examiner, and Applicant is willing to again travel to Washington D.C. to have another personal interview if it might be of any assistance to the Examiner.

The application is in condition for allowance, and favorable action is requested. If any extension of time is required, it is requested that this be deemed a petition and request therefore. The Commissioner is hereby authorized to charge any fees associated with the above-identified patent application or credit any overcharges to Deposit Account No. 50-0235.

Please direct all correspondence to the undersigned at the address given below.

Respectfully submitted,



Date: October 4, 2007

Peter K. Trzyna
(Reg. No. 32,601)

P.O. Box 7131
Chicago, IL 60680-7131
(312) 240-0824